

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE

LATERRACE KERLEY,

Plaintiff,

v.

BRANDON FOSTER,

Defendant.

)
)
)
)
)
)
)
)
)
)

No.: 3:21-CV-20-TAV-HBG

JUDGMENT ORDER

For the reasons set forth in the memorandum opinion filed herewith, Defendant Foster's motion for summary judgment [Doc 17] is **GRANTED**, and this prisoner's pro se complaint for violation of 42 U.S.C. § 1983 is **DISMISSED without prejudice**. Because the Court **CERTIFIED** in the memorandum opinion that any appeal from this dismissal would not be taken in good faith, should Plaintiff file a notice of appeal, he is **DENIED** leave to appeal *in forma pauperis*. See 28 U.S.C. § 1915(a)(3); Fed. R. App. P. 24.

The Clerk is **DIRECTED** to **CLOSE** the file.

ENTER:

s/ Thomas A. Varlan
UNITED STATES DISTRICT JUDGE

ENTERED AS A JUDGMENT

LeAnna R. Wilson
CLERK OF COURT